IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO.87 OF 2004

Janmukti Sangarsh Vaihini
& Ors. ..Petitioners.

Vs.

State of Maharashtra
& Ors. ..Respondents.

Mr.Madhav Jamdar for the petitioners.
Mr.P.M.Patil, A.G.P. for the respondents.

CORAM: R.M. LODHA AND
S.J.VAZIFDAR, JJ.
DATED: 13TH JULY, 2006

P.C. :

Heard Mr.Madhav Jamdar, counsel for the petitioners and Mr.P.M.Patil, Assistant Government Pleader.

2. The petitioners impugn the action of respondents in charging CET form fee of Rs.400/- and examination fee of Rs.500/- for MH-CET, 2004. According to the petitioners, the fee charged for form and examination is grossly exorbitant and that the respondents must be directed to charge the amount that covers actual expenses for conducting the said examination. According to the petitioners, for Xth and XIIth standard examination conducted by the board, far less fee is charged.

3. A reply affidavit has been filed on behalf of the respondents by the Principal Secretary in the Medical Education & Drugs Department. He has denied that the fee charged by the State Government for application form and examination is exorbitant.

4. The expenditure for MH-CET, 2003 has been explained by way of Annexure "A" with the affidavit of the Principal Secretary in the Medical Education & Drugs Department, particulars thereof read thus :

Sr.No.	Particulars	Percent
1	Travelling Allowance & Daily Allowance towards MH-CET staff	4.43
2	Website maintenance	2.00
3	Software Development & implementation	0.79
4	Shikshan Shulk Samiti & Pravesh Niyantran Samiti	1.24
5	Expenses of Daily wages staff	0.85
6	Opening of new colleges and Upgradation of existing colleges	32.96
7	Printing the brochures & Other Material of CETs	8.14
8	Advertising	3.96
9	Scanning of Application forms & Preference forms	3.02
10	Confidential work	4.46

11	Conducting of MH-CET exam & Honorarum (Collector staff etc.)	11.15
12	Expenditure on legal matters	3.30
13	Meetings Expenditure in the Year	1.94
14	Amount for promoting research and extra-curricular activities.	10.00
15	Amount Reserved for Next MH-CET	11.75
	Total:	**100.00**

5. Based on that, if for MH-CET, 2004 the fee of Rs.400/- was fixed for admission form and Rs.500/- for examination, it cannot be said that the fee charged by the State Government is grossly exorbitant. It may be noticed by us that various institutions are charging for CET examination asmuch as from the respondents. This is reflected in Annexure "C". It is seen therefrom that for the examination Asso-CET, Mumbai for the year 2004, Rs.300/- was charged for form fee and Rs.600/- for examination fee. AIIMS, New Delhi charged form fee of Rs.500/- though no charges were levied for examination fee. For Karnataka CET in the year 2004, Rs.550/- was charged for form fee. Many institutions are charging much more. To compare MH-CET with Xth and XIIth standard is not proper. Over-all, we find that the fee charged by the

respondents for MH-CET, 2004 cannot be said to be grossly exorbitant.

6. No case for interference is made out. Writ Petition is dismissed in limine.

(R.M. OLDHAM, J.)

(S.J. VAZIFDAR, J.)